

**Notice of Allowability**

Application No.

10/630,359

Examiner

Susan E. Fernandez

Applicant(s)

BOUARAB ET AL.

Art Unit

1651

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to September 14, 2005.
2. ☒ The allowed claim(s) is/are 5-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☒ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: FRANCE 02 09912.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Sarussi on December 1, 2005.

The application has been amended as follows:

#### **In the claims:**

In claim 5, at line 2, in claim 6, at line 2, and in claim 7, at line 2, the word "or" has been deleted and the term "12-HETE" has been amended to read -- (12-HETE) --.

In claim 5, at line 3, in claim 6, at line 3, and in claim 7, at line 3, the word "or" has been deleted and the term "11,12-EET" has been amended to read -- (11,12-EET) --.

In claim 5, at lines 6 and 12, in claim 6, at lines 6 and 22, and in claim 7, at lines 6 and 24, the word "*Crispus*" has been deleted and the word -- *crispus* -- has been inserted in its place.

In claim 5, at lines 7-9 and 13, in claim 6, at lines 7-9, 11, and 12, and in claim 7, at lines 7-9, 11, 12, and 14, the word "*Achrochaete*" has been deleted and the word -- *Acrochaete* -- has been inserted in its place.

In claim 5, at lines 8, 9, and 13, in claim 6, at lines 8, 9, 11, 12, and in claim 7, at lines 8, 9, 11, 12, and 14, the word "*Operculata*" has been deleted and the word -- *operculata* -- has been inserted in its place.

In claim 6, at line 24, the word "recovered" has been deleted.

Art Unit: 1651

In claim 6, at line 29, the phrase “with diethyl ethers” has been deleted.

In claim 6, at line 30, the phrase -- with diethyl ethers -- has been inserted after the term “gametophytes”.

In claim 7, at line 38, the phrase “with diethyl ether” has been deleted.

In claim 7, at line 39, the phrase -- with diethyl ether -- has been inserted after the term “supernatant”.

In claim 7, at line 32, the word “tris-HCl” has been deleted and the word -- Tris-HCl -- has been inserted in its place.

In claim 7, at line 36, the word “tris” has been deleted and the word -- Tris -- has been inserted in its place.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan E. Fernandez whose telephone number is (571) 272-3444. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Mike Wityshyn can be reached on (571) 272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1651

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan E. Fernandez  
Assistant Examiner  
Art Unit 1651

sef



FRANCISCO PRATS  
PRIMARY EXAMINER